

**FITCHBURG PLANNING BOARD MEETING MINUTES
TUESDAY, MARCH 15, 2016**

MEMBERS PRESENT: Paula Caron, Chair
John DiPasquale
Mike DiPietro (7:00 p.m.)
Paul Fontaine, Jr.
Mike Hurley
Andrew Van Hazinga
Laura O'Kane, (assoc. member)

PLANNING OFFICE: Mike O'Hara

Call to Order

Meeting called to order at 6:02 p.m. in the Community Room, Fitchburg Fire Headquarters, 33 North St.

Meeting Minutes

Last month's minutes not ready yet.

ANR plans

None.

MINOR SITE PLAN REVIEW

Brideau Oil, 49 Cobbler Dr. - two 30,000 gal. above-ground propane tanks

Mark Brideau and Bob Colluccio, Web Engineering explained plan to install two above-ground propane tanks behind Brideau Oil bldg. in a fenced-in area behind the Brideau Oil building at 49 Cobbler Drive. Tanks will on a crushed stone surface, tanks are an est. 15 feet high. Plans have been reviewed by Fitchburg Fire Prevention & Fitchburg Municipal Airport (abutter). No customer access will be allowed; only BOC trucks will be able to access them. No retail sales from that location.

Scott Ellis Airport manager stated that FIT has no objection to the plan, but that there is an FAA form to submit for proposed structures within proximity of an airport.

Motion made & seconded & seconded to approve Minor Site Plan.

Vote unanimous in favor.

LUK, Inc., NE corner Day St. & Green St. - parking lot

Anthony Cleaves, Whitman & Bingham & Mike Roberts, LUK present.

LUK had purchased vacant lot at NE corner of Day & Green St. (formerly #107 Day) and propose to install parking for their bldg. at 99 Day St., across the street. They've considered several versions of parking layout. Revised plan dated 3/14/16 presented at meeting shows driveway on Green St., next to the lot next door, and a proposed 18-foot wide driveway on Day St. Both driveways two-way. Spaces will be 90-degree. No stormwater facilities proposed on site. Green St. driveway is 2-feet lower than Green/Day intersection; stormwater will run off site to street drain in Green St.

Seven spaces provided. There is an existing granite blocks at edge of sidewalk; they plan to keep as is to provide some separation. Shallow green area on the north & east sides of lot, one shade tree to be planted. Low growth planting bed to be provided at Green St. entrance.

Site lighting - two residential-scale light fixtures to be provided.

They will offer DPW the granite curbing that is to be removed from the site. They will paint crosswalk on Green St. corner - - there is not one there now. Accessibility? Curb reveal is very low, almost flush w/ street.

If LUK installs a future fence on perimeter of site, Planning Board is OK w/ that it is a decorative (i.e. Not chain link) fence.

Motion made (Mr. Fontaine) & seconded (Mr. Hurley) to approve Minor Site Plan dated 3/7/2016.

PUBLIC HEARINGS

Special Permit - Mixed Use Development, 579 South St - Mark Gionet (continued from 2/16/16)

Postponed to April 19th meeting at the request of the applicant's engineer. Traffic Impact Study not yet completed, and therefore no Peer Review done either. Board agreed to continue hearing to April 19th.

Proposed Zoning Ordinance Amendment

To amend Sec. 181.921, "Board of Appeals" by striking the words, "*At least one (1) member shall be a member of the Bar.*"

Public hearing opened. Proposal is pretty straightforward. The petition had been submitted by the City Solicitor who is a property owner affected by the proposed change. It has been difficult to find a local atty. willing to serve on the ZBA since he or she would be precluding from practicing before the same board. In older versions of the Zoning Ordinance in the 1950s there had been a requirement that the ZBA have an Engineer and Architect. These provisions had been eliminated years ago.

Public hearing closed.

Motion made (Mr. Fontaine) & seconded (Mr. Van Hazinga) to recommend in favor of petition.

Vote 5-0 in favor.

OTHER BUSINESS

Mr. Van Hazinga recused himself from the following item:

Clarification of Special Permit #2014-1, Twin Cities CDC, 4 Leighton St. - transferability

Steve Cook, of the CDC (now NuVue Communities) present. In preparation for the closing on the property, their atty. had raised an issue with the language for the Special Permit condition concerning the transferability of the Special Permit, and suggested a draft clarification:

That the Board:

- 1. The Board hereby confirms and clarifies that the Special Permit may be transferred to and the rights thereunder assumed by an affiliate of, and under the direct control of, the Applicant, including NewVue Affordable Housing Corporation, with any such affiliate being obligated to construct the project identified in the Special Permit.*
- 2. The Board acknowledges that all earlier modifications and extensions of the Special Permit were intended to allow for the Applicant to obtain and close on construction financing for the proposed project, and that the Special Permit has not lapsed due to the Applicant's reliance on the rights granted by the Special Permit.*
- 3. The Board further certifies that it has complied with all procedural requirements required to issue the foregoing clarification and that the Board has the authority to determine such amendment is minor and requires no further public hearing.*

Motion made & seconded to recommend in favor of this clarification. Vote 5-0 in favor.

Mr. Van Hazinga returned to the meeting.

Galaxy Investments, 133 South St. (n/f Pelletier's Bldg. Supply) - proposed redevelopment

Pat Doherty, P.E., Midpoint Engineering presented preliminary plan. He has met w/ various departments regarding the plan. Public Hearing will be on next month's agenda.

Bldg. 1 (southernmost) 8,000 +/- sq. ft. - No tenants signed up yet, interest from a bank, plan shows drive-up window. Proposed uses of Bldg. 1 may change, they won't build until at least one tenant is signed up.
Bldg. 2 - 9,200 sq. ft. - Will be Family Dollar will be relocating from across the street.

Suggested: Look into how site will look if only Bldg. 2 is built. Will it be landscaped? Will parking be installed? Also, Board would like black metal decorative fence at front of site, to mirror the fence in front of Central Plaza across the street. Fence on top of the floodwall and rest of the perimeter will be chain link.

Board suggested "No Left Turn" out of site driveway. Pat: Will let traffic engineer address that at hearing in April. Generally, tenants don't want a restricted entrance. There will be a dedicated left turn lane into southerly entrance. They did submit a Traffic Study, which the Board agreed will be sent out for a peer review at the expense of the applicant.

Ms. Caron: There is no crosswalk on Water Street, but there are two bus shelters on either side. Should look into whether crosswalk needed.

Site is entirely in the floodplain & 200-foot Riverfront Area. Hearing before Conservation Commission later this month.

Will need Special Permit since proposed reduction of landscaped buffer & because development in floodplain. Board: Bring architectural elevations of buildings to April meeting.

West Fitchburg Overlay District - re: Dimensional requirements & waivers

Discussion of language of pending amendment and the proposed Planning Board regulations that would go with it. There is some inconsistency between the wordings of both. The proposed amendment allows the Board to grant a waiver, but unclear whether a waiver of just provisions in the amendment, or the other sections (ex. dimensional requirements of the Ordinance).

Board agreed it should only refer to the requirements in the amendment.

Wording of both will be clarified.

Rollstone & Electric - Bridle Cross Ests. "Transportation Improvements" account

Discussion on whether the \$95,000 in the "Bridle Cross Traffic Improvements" account should be used for design & construction of a roundabout at this intersection. Account was funded thru a per unit contribution which was a condition of the Special Permit. The funds are to be used at the discretion of the Planning Board. DPW has an in-house preliminary design for roundabout. The Board supports the concept but wants to see design, and a comparison to the roundabout at JFH/Mechanic/Rindge Rd. prior to voting to approve use of funds from that account, and wants a commitment that there will be enough funds to complete the project.

Parker Hill Ests. subdivision - progress report & bond release

One of last two cul-de sacs (Downey Circle) has been completed. Flicker Drive is still under construction. Motion made & seconded to reduce the bond to whatever amount DPW-Engineering is comfortable with. Vote in favor.

Pappas - Goodfellow/Turkey Hill subdivision - progress report & bond release

Atty. Watts arrived from C. Council meeting earlier & informed Board that Council voted acceptance of these streets.

Motion made & seconded to reduce the remaining amount in the Performance Bond, provided that the debris in the open space noted earlier had been removed.

Vote in favor.

Ms. Caron asked to check into balance of \$\$ per unit contribution of Winn Development. A portion had paid for survey for the River Street MassWorks application last year. Is there \$\$ left from Winn's contribution to design & build extension of improvement further down Main St. to Fitchburg Yarn driveway?

Motion made & seconded to adjourn. Vote in favor.

Meeting adjourned: 8:53 p.m.

Next meeting: 4/19/16

Minutes approved: 5/17/16